**IN THE HIGH COURT OF JUDICATURE**
**AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO.2902 OF 2005**

Sulochana Balchandra Gavare ...Petitioner
Vs.
The Commissioner of Police, Thane & Ors. ...Respondents

Mr.Kuldeep S. Patil for the Petitioner
Mr. A.S. Gadkari, A.P.P for the State

**CORAM: SHRI J.N.PATEL &**
**SMT. ROSHAN DALVI, JJ.**
**DATED: 31ST AUGUST, 2006**

**P.C.**

1. Heard.

2. The Petitioner has approached this Court seeking directions against the Respondents that they should not kill her son Rajesh Bhalchandra Gavare or act in manner detrimental to his life or in fake encounter without following guidelines/directions issued by the Honourable Supreme Court from time to time including the directions and guidelines issued in the decision rendered in the case of D.K. Basu . We do not find that any such relief can be granted in favour of the Petitioner as the State is bound to protect life and liberty of the citizen as enshrined in Article 21 of the Constitution of India. As encounter is not a procedure which

can be adopted by the police in dealing with the crime and criminal.

**(SMT.ROSHAN DALVI, J.)  (SHRI. J.N. PATEL, J.)**